

CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Michael Wang

(b) County of Residence of First Listed Plaintiff Contra Costa County, California
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (*Firm Name, Address, and Telephone Number*)

Harry S. Stern, Esq.; Nicole Pifari, Esq.
RAINS LUCIA STERN ST. PHALLE & SILVER, PC
200 Montgomery Street, Floor 15, San Francisco, CA 94104
Telephone: (415) 341-9341

DEFENDANTS

United States Department of Justice

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

<input type="checkbox"/> 1	U.S. Government Plaintiff	<input type="checkbox"/> 3	Federal Question <i>(U.S. Government Not a Party)</i>
<input checked="" type="checkbox"/> 2	U.S. Government Defendant	<input type="checkbox"/> 4	Diversity <i>(Indicate Citizenship of Parties in Item III)</i>

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff
(For Diversity Cases Only) and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	1	1	Incorporated <i>or</i> Principal Place of Business In This State	4	4
Citizen of Another State	2	2	Incorporated <i>and</i> Principal Place of Business In Another State	5	5
Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

CONTRACT		TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	625 Drug Related Seizure of Property 21 USC § 881	422 Appeal 28 USC § 158	375 False Claims Act	
120 Marine			690 Other	423 Withdrawal 28 USC § 157	376 Qui Tam (31 USC § 3729(a))	
130 Miller Act						
140 Negotiable Instrument						
150 Recovery of Overpayment Of Veteran's Benefits						
151 Medicare Act						
152 Recovery of Defaulted Student Loans (Excludes Veterans)						
153 Recovery of Overpayment of Veteran's Benefits						
160 Stockholders' Suits						
190 Other Contract						
195 Contract Product Liability	CIVIL RIGHTS	PRISONER PETITIONS	462 Naturalization Application	820 Copyrights	400 State Reapportionment	
196 Franchise			465 Other Immigration Actions	830 Patent	410 Antitrust	
				835 Patent—Abbreviated New Drug Application	430 Banks and Banking	
				840 Trademark	450 Commerce	
					460 Deportation	
					470 Racketeer Influenced & Corrupt Organizations	
					480 Consumer Credit	
					490 Cable/Sat TV	
					850 Securities/Commodities/Exchange	
					861 HIA (1395ff)	890 Other Statutory Actions
			862 Black Lung (923)	891 Agricultural Acts		
			863 DIWC/DIWW (405(g))	893 Environmental Matters		
			864 SSID Title XVI	895 Freedom of Information Act		
			865 RSI (405(g))	896 Arbitration		
				870 Taxes (U.S. Plaintiff or Defendant)	899 Administrative Procedure Act/Review or Appeal of Agency Decision	
				871 IRS—Third Party 26 USC § 7609	950 Constitutionality of State Statutes	
					</	

V. ORIGIN (Place an "X" in One Box Only)

1	2	3	4	5	6	7	8
Original Proceeding	Removed from State Court	Remanded from Appellate Court	Reinstated or Reopened	Transferred from Another District (<i>specify</i>)	Multidistrict Litigation—Transfer		Multidistrict Litigation—Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (*Do not cite jurisdictional statutes unless diversity*):
5 U.S.C. § 552

Brief description of cause:

Violation of FOIA time limits and unlawful withholding of records.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION DEMAND \$
UNDER RULE 23, Fed. R. Civ. P.

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

**VIII. RELATED CASE(S),
IF ANY** (See instructions)

JUDGE

DOCKET NUMBER

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only) ☒ **SAN FRANCISCO/OAKLAND** ☐ **SAN JOSE** ☐ **EUREKA-MCKINLEYVILLE**

DATE 06/07/2019

SIGNATURE OF ATTORNEY OF RECORD

/s/ Nicole Pifari